

Docket No.: 5776-000002/US/NP
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Thomas Brandt et al.

Application No.: 10/533,767

Confirmation No.: 8207

Filed: May 4, 2005

Art Unit: N/A

For: Housing Device For Head-Worn Image
Recording And Method For Control Of The
Housing Device

Examiner: Not Yet Assigned

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. COPIES

A. ☒ Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office; (iii) each unpublished U.S. application listed below in Section IV (i.e., including the specification, claims, and any drawing of the application, or that portion of the application which caused it to be listed, including any claims directed to that portion), except for such applications filed on or after June 30, 2003, pursuant to the Waiver of the Copy Requirement in 37 C.F.R. 1.98 (OG Notice dated October 19, 2004); and (iv) all other information or that portion which caused it to be listed.

B. ☐ Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

C. ☐ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search report are listed on the attached Form 1449 for consideration by the Examiner and for listing on any patent resulting from this application. If the International Search report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g).)

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. ☐ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. ☒ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ☐ See the attached foreign patent office communication from a counterpart foreign application:

2. ☒ English translations of Abstracts are provided:

3. ☒ Other:

DE 199 54 047 A1 corresponds to EP 124 197 6 (English Abstract provided)

C. ☒ The following additional information is provided for the Examiner's consideration.

The Examiner's attention is drawn to the attached Citation Information List enclosed herewith

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. ☐ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does (do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

A. ☒ **37 C.F.R. § 1.97(b):** (check only one box)

1. ☐ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. ☒ before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. ☐ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ☐ **37 C.F.R. § 1.97(c):** (check only one box)

before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ☐ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2. ☐ See the certification below. No fee is required.

C. ☐ 37 C.F.R. § 1.97(d):

after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ☐ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

A. ☐ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. 1.704(d) below in section VII, if applicable; or

B. ☐ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ☐ some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 C.F.R. 1.704(d)

The undersigned hereby states that:

☐ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

- A. ☐ A check in the amount of \$180.00 is enclosed for the above identified fee.
- B. ☐ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

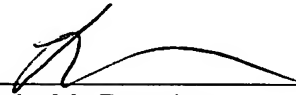
If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: December 6, 2005

By: _____


Linda M. Deschere
Reg. No. 34,811

Harness, Dickey & Pierce, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

LDES/smc

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known	
				Application Number	10/533767
				Filing Date	May 4, 2005
				First Named Inventor	Thomas Brandt
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	5776-000002/US/NP

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA*	US-5,189,512	02-23-1993	Cameron et al.	
	AB*	US-3,724,932	04-03-1973	Cornsweet et al.	
	AC*	US-4,544,246	10-01-1985	Crane et al.	
	AD*	US-5,341,181	08-23-1994	Godard	
	AE*	US-4,637,571	01-20-1987	Holder et al.	
	AF*	US-4,844,602	07-04-1989	Kitagishi et al.	
	AG*	US-5,672,862	09-30-1997	Ohara et al.	
	AH*	US-4,513,317	04-23-1985	Ruoff, Jr.	
	AI*	US-4,235,506	11-25-1980	Saito et al.	
	AJ*	US-4,852,988	08-01-1989	Velez et al.	
	AK*	US-4,720,805	01-19-1988	Vye	
	AL*	US-5,077,465	12-31-1991	Wagner et al.	
	AM*	US-5,491,510	02-13-1996	Gove	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	DE-199 54 047-A1	05-31-2001			
	BB	EP-124 197 6	09-25-2002			√

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	Clarke, A.H.; Neuere Aspekte des vestibulookulären Reflexes. European Archives of Oto-Rhino-Laryngology, Suppl 1: 117-153, 1995	
	CB	Dichgans, J. and Brandt, T.; Visual-vestibular interaction: effects on self-motion perception and postural control. In: Held, R., Leibnitz, H. W. und Teuber, H.L., Editor Handbook of sensory physiology, Vol. VIII: Perception, Springer Verlag, 755-804, 1978 (in English)	
	CC	Glasauer, S., Dieterich, M. and Brandt T.; Central positional nystagmus simulated by a mathematical ocular motor model of otolith-dependent modification of Listing's plane. J. Neurophysiol, 86: 1596-1554, 2001 (in English)	
	CD	Haslwanter T.; Mathematics of three-dimensional eye rotations. Vision Res, 35: 1727-1739, 1995 (in English)	
	CE	Haslwanter, T. and Moore, S. T.; A theoretical analysis of three-dimensional eye position measurement using polar cross-correlation. IEEE Trans Biomed Eng, 42: 1053-1061, 1995 (in English)	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known	
				Application Number	10/533767
				Filing Date	May 4, 2005
				First Named Inventor	Thomas Brandt
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	5776-000002/US/NP

	CF	Moore, S. T., Haslwanter, T., Curthoys, I. S. and Smith, S. T.; A geometric basis for measurement of three-dimensional eye position using image processing. Vision Res, 36: 445-459, 1996 (in English)	
	CG	Robinson, D. A.; A method of measuring eye movements using a scleral search coil in a magnetic field. IEEE Trans Biomed Eng: 137-145, 1963 (in English)	
	CH	Robinson, D. A.; The use of control system analysis in the neurophysiology of eye movements. Annu Rev Neurosci, 4: 463-503, 1981 (in English)	
	CI	Yarrow, K. Patrick, H., Ron H., Brown, P. und Rothwell, J. C.; Illusory perceptions of space and time preserve cross-saccadic perceptual continuity. Nature, 414: 302-305, 2001 (in English)	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

CITATION INFORMATION SHEET

DE 199 54 047 A1 no English translation available.

The document was cited in an Office action of the German Patent Office dated June 24, 2003.

The documents relates to a method and an assembly for detecting horizontal, vertical and torsional movements of the eye.

US 5,189,512: Cameron, M, Cameron, J (Camair Res., Inc., USA).
Helmet integrated display system.

US 3,724,932: Cornsweet, T, Crane, H (Stanford Research Inst., USA).
Eye Tracker and Method.

US 4,544,246: Crane, HD, Kelly, DH (Stanford Research, USA).
System for producing selective stabilization of a portion of the retinal image.

US 5,341,181 Godard, RR (Morristown, USA).
Systems and methods for capturing and presenting visual information.

US 4,637,571 Holder, DW, Phillips, WR (US Army).
Electronic image stabilization.

US 4,844,602 Kitagishi, N, Yamazaki, S (Canon KK, Japan). Optical system for deflecting image.

US 5,672,862 Ohara, T, Fujiwara, A, Notagashira, H, Iizuka, T, Tamekuni, Y, Kino, Y, Morofuji, T, Azusawa, K, Sato, H (Canon Kabushiki Kaisha, Tokio, Japan). Optical apparatus having image shake preventing function.

US 4,513,317 Ruoff, CF (NASA, Washington DC, USA). Retinally stabilized differential resolution television display.

US 4,235,506 Saito, T, Okamura, K, Ando, K (Fuji Photo Optical Co., Ltd., Omiya, Japan). Image stabilized optical system.

- US 4,852,988 Valez, J und Borah, JD (ASL, Waltham, USA). Visor and camera providing a parallax-free field-of-view image for a head-mounted eye movement measurement system.
- US 4,720,805 Vye, SR. Computerized control system for the pan and tilt functions of a motorized camera head.
- US 5,077,465 Flickinger, R, Wagner, E, Giesenberg, P.
Gyro-stabilized seeker.
- US 5,491,510 Gove, R (Texas Instruments, Dallas, USA).
System and method for simultaneously viewing a scene and an obscured object.
- Clarke, AH. : Neuere Aspekte des vestibulookulären Reflexes. European Archives of Oto-Rhino-Laryngology, Suppl I: 117-153, 1995.
Contains a discussion of the vestibulo-ocular reflex and various methods of detecting horizontal, vertical and torsional movements of the eye.
- Dichgans, J and Brandt, T.: Visual-vestibular interaction: effects on self-motion perception and postural control. In: Held, R, Leibnitz, HW und Teuber, HL, Editor, Handbook of sensory physiology, Vol. VIII: Perception, Springer Verlag, 755-804, 1978.
- Glasauer, S, Dieterich, M and Brandt, T.: Central positional nystagmus simulated by a mathematical ocular motor model of otolith-dependent modification of Listing's plane. J Neurophysiol, 86: 1596-1554, 2001.
- Haslwanter T.: Mathematics of three-dimensional eye rotations. Vision Res, 35: 1727-1739, 1995.
- Haslwanter, T and Moore, ST.: A theoretical analysis of three-dimensional eye position measurement using polar cross-correlation. IEEE Trans Biomed Eng, 42: 1053-1061, 1995.

Moore, ST, Haslwanter, T, Curthoys, IS and Smith, ST.: A geometric basis for measurement of three-dimensional eye position using image processing. Vision Res, 36: 445-459, 1996.

Robinson, DA. : A method of measuring eye movements using a scleral search coil in a magnetic field. IEEE Trans Biomed Eng: 137-145, 1963.

Robinson, DA.: The use of control system analysis in the neurophysiology of eye movements. Annu Rev Neurosci, 4: 463-503, 1981.

Yarrow, K, Patrick, H, Ron, H, Brown, P und Rothwell, JC.: Illusory perceptions of space and time preserve cross-saccadic perceptual continuity. Nature, 414: 302-305, 2001.